

Adopted	Rejected
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## COMMITTEE REPORT

YES:	6
NO:	3

### MR. SPEAKER:

*Your Committee on Public Health, to which was referred House Bill 1202, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 16-41-37-4 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. **(a)** A person who
- 4 smokes:
- 5 (1) in a public building, except in an area designated as a smoking
- 6 area under section 5 of this chapter;
- 7 (2) in the retail area of a grocery store or drug store that is
- 8 designated as a nonsmoking area by the store's proprietor;
- 9 (3) in the dining area of a restaurant that is designated and posted
- 10 as the restaurant's nonsmoking area by the restaurant's proprietor;
- 11 or
- 12 (4) in a school bus during a school week or while the school bus
- 13 is being used for a purpose described in section 2.3(3) of this
- 14 chapter;

1 commits a Class B infraction. However, the violation is a Class A  
2 infraction if the person has at least three (3) previous unrelated  
3 judgments for violating this section that are accrued within the twelve  
4 (12) months immediately preceding the violation.

5 **(b) A restaurant that permits a person who is less than**  
6 **twenty-one (21) years of age to enter the restaurant must designate**  
7 **a part of the dining area as a nonsmoking area.**

(Reference is to HB 1202 as introduced.)

**and when so amended that said bill do pass.**

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Representative Becker